

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ELEANOR SAUTTER, Personal
Representative of the Estate of Johan
A. Sautter, Sr., Deceased,

Plaintiff,

v.

BNSF RAILWAY COMPANY,
Individually and as Successor-in-
Interest to the Burlington Northern Inc.,
Chicago Burlington & Quincy Railroad
Company, Burlington Northern, Inc.,
and Burlington Northern Railroad
Company,

Defendant.

8:07cv320

**ORDER OF RECUSAL
REQUEST FOR REASSIGNMENT**

This matter is before the court on the court's own motion pursuant to 28 U.S.C. § 455(a), which states: "Any . . . judge . . . of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." Upon review of the parties and the record in the above-designated case, the undersigned judge shall, and hereby does, recuse himself from the above-designated case pursuant to 28 U.S.C. § 455(a).

SO ORDERED.

DATED this 2nd day of October, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge